

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: David A. Scheidmantal SEP 14 2004

For: ARMREST WITH SIDE IMPACT RESISTANCE FEATURE

Serial No.: 10/604,697 Examiner: Gregory A. Blankenship

Filed: August 11, 2003 Group Art Unit: 3612

Atty. Docket: 70639-0025 Confirmation No.: 1696

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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Rebecca L. Shill
Signature

Date: 9.14 2004 Rebecca L. Shill
(type or print name of person certifying)

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO OFFICE ACTION
REQUIRING ELECTRONIC SPECIES

This paper is in response to the Office action mailed August 13, 2004. In the Office action, an election of species was required between the following allegedly patentably distinct species:

Examiner's Species A: arm rest;
Examiner's Species B: vehicular trim component.

The Examiner asserts that no claim is generic.

Serial No. 10/604,697
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Page 3 of 3

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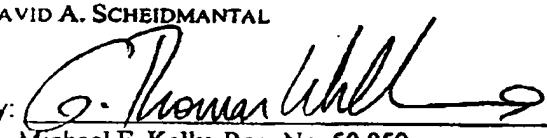
Further, if the Examiner's requirement for restriction is maintained, the Applicant would be required to file additional patent applications containing the alleged patentably distinct inventions identified by the Examiner. If all of those patent applications were allowed, the net result would be several patents that claim closely related inventions differing only by a particular embodiment. Applicant respectfully asserts that the Examiner's restriction requirement is inappropriate.

For the reasons discussed above, Applicant requests reconsideration and withdrawal of the restriction requirement made by the Examiner. Applicant further requests that the application as filed be substantively examined with respect to all of the claims filed with the application with the single unifying concept described above being the focus of the Examiner's efforts.

Should the Examiner be unpersuaded by the arguments advanced herein, Applicant provisionally elects with traverse claims 1-62 which are readable on the Examiner's Species A (arm rest), and provisionally cancels without prejudice the claims of Species B of the application.

Respectfully submitted,

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